Remarks

Status of the Claims

No claims have been amended, added or cancelled by way of this Response. The status of pending claims 1-20 is as indicated above.

Rejection of Claims under 35 U.S.C. § 103

Claims 1 and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,199,079 ("Gupta '079"), in view of U.S. Patent No. 5,668,986 ("Nilsen"). Claims 1-20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Gupta '079, in view of U.S. Patent No. 5,826,258 ("Gupta '258").

The Applicant respectfully disagrees that claims 1-20 are unpatentable as respectively rejected above.

As a starting point, MPEP 706.02(j) states:

"[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. First, <u>there must be some suggestion or motivation, either in the cited references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings</u>. Second, there must be a reasonable expectation of success. Finally, **the prior art reference** (or references when combined) **must teach or suggest all the claim limitations**. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure."

(Emphasis added.)

With respect to claims 2-11, those claims depend (directly or indirectly) from claim 1. Regarding claims 13-20, those claims depend (directly or indirectly) from claim 12. It is axiomatic that any claim that depends, directly or indirectly, from an allowable base claim is also allowable. Hereinafter, the Applicant provides arguments focused on the allowability of claims 1 and 12. The Applicant does not believe it is necessary to provide arguments in favor of each and every dependent claim, as the Applicant believes the independent claims (claims 1 and 12) are allowable, for the following reasons.

Claim 1

The Applicant respectfully asserts that claim 1, and claims 2-11 that depend therefrom, are allowable. In regard to claim 1, that claim recites the following features and limitations:

An automated data entry method comprising:

entering a user information at a first location;

searching a storage medium at said first location **to determine an identity of a user** based on the entered information;

accessing a storage medium at a second location **upon not being able to identify a user** by searching the storage medium at said first location, said medium at the second location containing information for a plurality of users;

searching the storage medium at the second location **to determine an identity of said user** based on the entered information; and

retrieving additional information pertaining to the user from the storage medium at the first or second locations **based on the determined identity**.

(Emphasis added.)

Gupta '079 fails to teach or suggest <u>searching a storage medium at said first location *to determine an identity of a user* based on the entered information</u>, as recited in combination with the other features and limitations of claim 1. Also, and as already admitted by the Examiner (page 3 of Office action), Gupta '079 fails to teach or suggest <u>accessing a storage medium at a *second location* upon not being able to identify a user by searching the storage medium at said first location, said medium at the second location containing information for a plurality of users</u>, and <u>searching the storage medium at the second location to *determine an identity of said user* based on the entered information</u>, as recited in combination with the other features and limitations of claim 1. Furthermore, Gupta '079 fails to teach or suggest <u>retrieving additional information pertaining to the user from the storage medium at the first or second locations *based on the determined identity*</u>, as recited in combination with the other features and limitations of claim 1.

The Examiner has asserted that Gupta '079 teaches: "searching a storage medium at said first location to determine an identity of a user based on the entered information", e.g., 170, 180 of Fig. 1C; 90 of Fig. 1D; Col. 8, lines 56-67 and Col. 7, lines 34-63 (page 3 of Office action). Respectfully, the Examiner is mistaken. In fact, Gupta '079 provides no teachings or suggestions whatsoever directed to *determining an identity of a user*, in any way or for any reason. Furthermore, Gupta '079 is completely devoid of the terms "user identity", "identity of a user", "determining an identity of a user", or any of their respective equivalents, in any context.

Rather, Gupta '079 is directed to a method of automatically filling in purchaser information in one or more online forms using information pre-stored within a (single) User Meta-database 170 and a User Selection database 180 (Abstract; Fig. 1C; and Col. 8, lines 15-67 of Gupta '079). Gupta '079 also teaches that each *online form* is identified using the URL (Uniform Resource Locator, or 'web address') of that online form, such that an attribute matching procedure can be employed to determine what user data from the User Meta-database 170 is needed to complete that particular online form (Col. 8. lines 15-52 of Gupta '079). That is, Gupta '079 teaches identifying an online form by way of its URL, but Gupta '079 provides <u>no</u> teachings regarding *determining the identity of a user* – an <u>entirely different</u> matter altogether that has its own problems to be resolved. It is thus readily apparent that "one of ordinary skill in the art", faced with the teachings of Gupta '079, is left to their own devices as to how a *user's identity is determined*, for any purpose, whereas the Applicant's claim 1 provides a specific step to determine the identity of a user. In any case, Gupta '079 fails to teach or suggest all of the features and limitations as recited by claim 1.

Nilsen fails to cure the deficiencies of Gupta '079. Specifically, Nilsen fails to teach or suggest <u>searching a storage medium at said first location *to determine an identity of a user* based on the entered information</u>, as recited in combination with the other features and limitations of claim 1. Also, Nilsen fails to teach or suggest <u>accessing a storage medium at a *second location* upon not being able to identify a user by searching the storage medium at said first location, said medium at the second location containing information for a plurality of users</u>, and <u>searching the storage medium at the second location to *determine an identity of said user* based on the entered information</u>, as recited in combination with the other features and limitations of claim 1. Furthermore, Nilsen fails to teach or suggest <u>retrieving additional information pertaining to the user from the storage medium at the first or</u>

second locations ***based on the determined identity***, as recited in combination with the other features and limitations of claim 1.

Rather, Nilsen teaches a distributed database system that uses "mirroring of data" (i.e., redundant storage) in order to address fault-tolerance and archival-integrity concerns (Abstract; Fig. 2; Col. 2, lines 13-42 of Nilsen). Nilsen is totally lacking any use of the terms "user identity", "identity of a user", "determining an identity of a user", or any of their respective equivalents, in any context. Simply put, Nilsen is directed to solving a different problem (i.e., ensuring data storage reliability vs. determining user identity) in a different way (i.e., managing redundant databases vs. searching first and second locations in comparison to entered information) than that of the present invention as recited by claim 1.

Furthermore, there is no way to select limitations from Gupta '079, and then to somehow combine those elements with other limitations selected from Nilsen, in order to arrive at the invention as recited by claim 1, as no possible combination of Gupta '079 and Nilsen teaches or suggest all of the required features and limitations. At the very least, any combination of Gupta '079 and Nilsen is completely lacking in any teaching of: (1) searching a storage medium at a first location to determine an identity of a user based on the entered information; (2) searching a storage medium at a second location to determine an identity of said user based on the entered information; or (3) retrieving additional information pertaining to the user from the storage medium at the first or second locations based on the determined identity, as recited in combination with the other features and limitations of claim 1.

For at least the foregoing reasons, the Applicant asserts that the 103(a) rejection of claim 1 over Gupta '079 in view of Nilsen is improper and should be withdrawn. Therefore, the Applicant asserts that claim 1 is allowable over Gupta '079 in view of Nilsen.

Regarding Gupta '258, that reference also fails to cure the deficiencies of Gupta '079. In particular, Gupta '258 fails to teach or suggest searching a storage medium at said first location *to determine an identity of a user* based on the entered information, as recited in combination with the other features and limitations of claim 1. Also, Gupta '258 fails to teach or suggest accessing a storage medium at a *second location* upon not being able to identify a user by searching the storage medium at said first location, said medium at the second location containing information for a plurality of users, and searching the storage medium at the second location to *determine an identity of said user* based on the entered information, as recited in combination with the other features and limitations of claim 1. Furthermore, Gupta '258 fails to teach or suggest retrieving additional information pertaining to the user from the storage medium at the first or second locations *based on the determined identity*, as recited in combination with the other features and limitations of Applicant's claim 1.

Rather, Gupta '258 is directed to the use of a "wrapper" for determining how semi-structured information is organized, wherein the wrapper serves to extract from the examined information and to report "structures" identified therein for later use during data queries. Furthermore, Gupta '258 teaches that such wrappers are dedicated to (i.e., customized, or specifically defined for) each information resource under scrutiny (Abstract; Fig. 5 of Gupta '258). However, Gupta '258 is completely missing any of the terms "user identity", "identity of a user", "determining an identity of a user", or any of their respective equivalents, in any context or for any purpose.

As can be seen, there is no way to select limitations from Gupta '079, and then to somehow combine those elements with other limitations selected from Gupta '258, in order to arrive at the invention as recited by claim 1, as no possible combination of Gupta '079 and Gupta '258 teaches or suggest all of the required features and limitations of Applicant's claim 1. At the very least, any combination of

Gupta '079 and Gupta '258 is completely lacking in any teaching of: (1) <u>searching a storage medium at a first location to determine an identity of a user based on the entered information</u>; (2) <u>searching a storage medium at a second location to determine an identity of said user based on the entered information</u>; or (3) <u>retrieving additional information pertaining to the user from the storage medium at the first or second locations based on the determined identity</u>, as recited in combination with the other features and limitations of Applicant's claim 1.

For at least these reasons, the Applicant asserts that the 103(a) rejection of claim 1 over Gupta '079 in view of Gupta '258 is improper and should be withdrawn. Therefore, the Applicant asserts that claim 1 is allowable over Gupta '079 in view of Gupta '258.

Not to belabor the point, but the Applicant believes that the following Table 1 helps to summarize at least some of the differences between the teachings of Gupta '079, Gupta '258 and Nilsen, and the present invention as recited by claim 1:

TABLE 1				
Feature, Limitation or Teaching	'Gupta '079	Gupta '258	Nilsen	Claim 1
Determining an identity of a user	No	No	No	YES
Searching a first location and, if necessary, searching a second location to determine an identity of a user	No	No	No	YES
Retrieving additional user information from first or second locations based on the determined identity	No	No	No	YES

In view of the facts presented in Table 1, the Applicant asserts that there is insufficient nexus between the teachings of Gupta '079, Gupta '258 and Nilsen (alone, or in any possible combination) and the limitations as recited by claim 1 to

1 support any assertion that the teachings of Gupta '079, Gupta '258 and/or Nilsen

2 render obvious the present invention as recited by claim 1.

3 In view of the foregoing, and in further view of the requirements for supporting

4 a rejection under 35 U.S.C. § 103 (see MPEP 706.02(j)), the Applicant asserts that

5 claim 1 is allowable. It is axiomatic that claims 2-11 are also allowable at least by

6 virtue of their dependence from allowable claim 1, as well as for their own

7 respectively patentable features and limitations.

8

9 Claim 12

10 The Applicant respectfully asserts that claim 12, and claims 13-20 that

11 depend therefrom, are allowable. In regard to claim 12, as amended, that claim

12 recites the following features and limitations:

13

14 A system comprising:

15 a first website corresponding to a vendor of products or

16 services, said first website having a storage medium containing user

17 information corresponding to a plurality of individuals;

18 a second website having a storage medium containing user

19 information corresponding to a plurality of individuals;

20 a network connecting said first and second websites; and

21 a user station connected to the network, the first website

22 comprising a software application being programmable to

23 communicate with the second website and to search and to retrieve

24 user information from the storage medium at the first and second

25 websites in response to information entered through a user interface of

the user station, wherein the <u>software application is further</u>

<u>programmed **to determine the identity of a user** by way of matching</u>

the information entered through the user interface of the user station to user information contained on the respective storage mediums of the first and second websites.

(Emphasis added).

Gupta '079 fails to teach or suggest a software application [that] is further programmed to *determine the identity of a user* by way of matching the information entered through the user interface of the user station to user information contained on the respective storage mediums of the first and second websites, as recited in combination with the other features and limitations of claim 12. More to the point, and as argued above, Gupta '079 fails to teach or suggest any sort of method or apparatus for determining the identity of a user, in any way. Therefore, Gupta '079 does not teach or suggest such a determination as made by matching entered information against user information respectively contained on two different website storage media, as recited, in slightly varying language, by claim 12. Thus, Gupta '079 fails to teach or suggest all of the claim limitations as recited by claim 12.

Nilsen fails to cure the deficiencies of Gupta '079. Specifically, Nilsen fails to teach or suggest a software application [that] is further programmed to *determine the identity of a user* by way of matching the information entered through the user interface of the user station to user information contained on the respective storage mediums of the first and second websites, as recited in combination with the other features and limitations of claim 12. Again, and substantially as argued above in regard to claim 1, neither Gupta '079 nor Nilsen provide, teach or suggest any sort of method or means for determining the identity of a user, in any context or for any purpose.

There is no way to select limitations from Gupta '079, and then to somehow combine those elements with other limitations selected from Nilsen, in order to arrive

at the invention as recited by claim 12, as no possible combination of Gupta '079 and Nilsen teaches or suggest all of the required features and limitations. At the very least, any combination of Gupta '079 and Nilsen is completely lacking at least in any teaching of a software application [that] is further programmed to *determine the identity of a user* by way of matching the information entered through the user interface of the user station to user information contained on the respective storage mediums of the first and second websites, as recited in combination with the other features and limitations of claim 12.

For at least these reasons, the Applicant asserts that the 103(a) rejection of claim 12 over Gupta '079, in view of Nilsen, is improper, and should be withdrawn. Therefore, the Applicant asserts that claim 12 is allowable over Gupta '079 in view of Nilsen.

With respect to Gupta '258, that reference also fails to teach or suggest a software application [that] is further programmed to *determine the identity of a user* by way of matching the information entered through the user interface of the user station to user information contained on the respective storage mediums of the first and second websites, as recited in combination with the other features and limitations of claim 12.

As can be seen from the foregoing, there is no way to select limitations from Gupta '079, and then to somehow combine those elements with other limitations selected from Gupta '258, in order to arrive at the invention as recited by claim 12, as no possible combination of Gupta '079 and Gupta '258 teaches or suggest all of the required features and limitations of Applicant's claim 12. At the very least, any combination of Gupta '079 and Gupta '258 is completely lacking at least in any teaching of a software application [that] is further programmed to *determine the identity of a user* by way of matching the information entered through the user interface of the user station to user information contained on the respective storage

mediums of the first and second websites, as recited in combination with the other features and limitations of claim 12. Therefore, the Applicant asserts that 103(a) rejection of claim 12 over Gupta '079 in view of Gupta '258 is improper and should be withdrawn. Therefore, the Applicant asserts that claim 12 is allowable over Gupta '079 in view of Gupta '258.

In view of the foregoing reasons, the Applicant asserts that claim 12, is allowable. It is axiomatic that claims 13-20 are also allowable by virtue of their dependence from allowable claim 12, as well as for their own respectively patentable features and limitations.

Summary

The Applicant believes that this response constitutes a full and complete response to the Office action. Therefore, the Applicant respectfully requests reconsideration of claims 1-20, in favor of timely allowance.

The Examiner is respectfully requested to contact the below-signed attorney if the Examiner believes this will facilitate prosecution toward allowance of the claims.

Respectfully submitted,

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